

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

NATURAL RESOURCES DEFENSE
COUNCIL, et al.,

Plaintiffs,

v.

LOUIS DEJOY, in his official capacity as
United States Postmaster General, et al.,

Defendants.

Case No. 1:22-cv-3442-AT

**DECLARATION OF DAVON
COLLINS**

I, Davon Collins, hereby declare:

1. I am employed by the United States Postal Service as Environmental Counsel, and have held that position for approximately 8 years.

2. In that capacity, I have primary responsibility for compiling the Postal Service's administrative record, and certified list of the administrative record, for the Next Generation Delivery Vehicle Acquisitions project, which is subject to the above captioned litigation.

3. Since this litigation was initiated in late April 2022, several cross-functional teams of individuals from Postal Service groups, including environmental compliance, engineering, fleet management, supply management, and logistics, have been working diligently to identify and compile the documents constituting the administrative record, including working with Postal Service consultants who assisted in identifying relevant documents. That is in addition to those individuals' regular, ongoing responsibilities.

4. In addition, a team of three administrative assistants is organizing, indexing, and Bates numbering the administrative record for the certified list. That is in addition to those individuals' regular, ongoing responsibilities.

5. On June 29, 2022, the Court issued an order adopting in relevant part (ECF No. 37) the case management plan and scheduling order filed jointly by the parties. Under that plan,

the parties “intend[ed]” to file a joint motion for a protective order by August 8, 2022 and the Postal Service “anticipate[d] filing” the certified list of the administrative record on August 15, 2022. The Postal Service provided those estimated filing dates in good faith based on the then-current pace at which the administrative record was being compiled, organized, and indexed.

6. In the joint case management plan, the Postal Service stated that it would “promptly notify the Court” if “additional time is required to file the certified list” of the administrative record.

7. Subsequent developments have impacted the estimated filing dates for the certified list of the administrative record and the related joint motion for a protective order:

a. Several individuals on the cross-functional teams responsible for compiling the administrative record have been out from work due to COVID-19;

b. One of the administrative assistants working to organize and index the administrative record will be unavailable to work on this matter until early August;


c. Certain of the same individuals who are compiling, organizing, and indexing the administrative record are also responsible for overseeing, and managing the intake of public comments on, the Postal Service’s supplemental environmental impact statement for the Next Generation Delivery Vehicle Acquisitions project. *See* 87 Fed. Reg. 43,561 (July 21, 2022). As of July 25, 2022, the Postal Service has received over 33,000 comments regarding the supplement, and significant agency resources are necessary to process those comments and prepare for a public hearing scheduled for August 8, 2022;

d. On July 22, 2022, I was informed that the cross-functional teams had completed their identification of most of the documents constituting the administrative record, which has allowed for a more accurate estimate of the time and resources that will be necessary to complete the indexing of the certified list of the administrative record, including portions of the administrative record that need to be identified in the motion for a protective order, and produce the administrative record to counsel.

8. Due to those developments, the Postal Service now estimates that it will be able to file the joint motion for a protective order by no later than August 22, 2022, and file the certified index on August 29, 2022.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27th day of July 2022.



DAVON COLLINS
Environmental Counsel
U.S. Postal Service
475 L'Enfant Plaza SW
Washington, DC 20260
(202) 268-4570
davon.m.collins@usps.gov